

PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on February 7, 2019, with the briefing starting at 11:06 a.m., in Room 5ES and the public hearing at 1:38 p.m., in the City Council Chambers of City Hall. Presiding were, Gloria Tarpley, Chair and Jarred Davis, Vice-Chair. The following Commissioners were present during the hearing: Tony Shidid, Deborah Carpenter, Christopher Lewis, P. Michael Jung, Tipton Housewright, Margot Murphy and Paul E. Ridley. The following Commissioner was absent from this hearing as defined in the City Plan Commission rules: Enrique MacGregor and Jaynie Schultz. There are four vacancies: District 2, District 3, District 7 and District 12.

The City Plan Commission was briefed by staff on each item on the agenda and a question and answer period followed each briefing.

A variety of dockets, requests and briefings were presented to the Commission during the open public hearing. The applicants or their representatives presented their arguments, citizen comments were heard, and using the information and staff recommendations in the hearing dockets, the Commission took the following actions.

NOTE: For more detailed information on discussion on any issue heard during this briefing and public hearing, refer to the tape recording retained on file in the Department of Sustainable Development and Construction. Briefing and public hearing recordings are retained on file for 90 days after approval of CPC minutes.

PUBLIC HEARINGS:

Subdivision Docket

Planner: Mohammad Bordbar

Pursuant to Texas Local Government Code Section 212.009(e) these minutes and recording of the hearing certify the reasons for denial of any plat application.

Consent Items:

(1) **S189-096**

Note: The Commission considered this item individually.

Motion I: It was moved to **deny** an application to create five lots ranging in size from 45,307 square feet to 68,139 square feet and one common area from a 7.036-acre tract of land in City Block 5601 on property located on Walnut Hill Lane at Inwood Road, southeast corner, due to non-compliance with Section 51A-8.503 of the Dallas Development Code; specifically the proposed lots do not conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the area.

Maker: Murphy
Second: Jung
Result: Failed: 2 to 7

For: 2 - Jung, Murphy
Against: 7 - Davis, Shidid, Carpenter, Lewis, Housewright,
Ridley, Tarpley
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Motion II: It was moved to **approve** an application to create five lots ranging in size from 45,307 square feet to 68,139 square feet and one common area from a 7.036-acre tract of land in City Block 5601 on property located on Walnut Hill Lane at Inwood Road, southeast corner, subject to compliance with the conditions listed in the docket.

Maker: Ridley
Second: Shidid
Result: Carried: 8 to 1

For: 8 - Davis, Shidid, Carpenter, Lewis, Housewright,
Murphy, Ridley, Tarpley
Against: 1 - Jung
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Speakers: For: Mark Molthan, 3648 McFarlin Blvd., Dallas, TX, 75205
Against: None

Note: The Commission heard Subdivision Item #2. S189-098 next.

Reconsideration:

Note: The Commission reconsidered Subdivision agenda item #1, S189-096 in order to add an additional condition.

S189-096

Motion to Reconsider: It was moved to **reconsider** the action taken earlier in the meeting, which was to approve an application to create five lots ranging in size from 45,307 square feet to 68,139 square feet and one common area from a 7.036-acre tract of land in City Block 5601 on property located on Walnut Hill Lane at Inwood Road, southeast corner, subject to compliance with the conditions listed in the docket.

Maker: Ridley
Second: Murphy
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Motion: It was moved to **approve** an application to create five lots ranging in size from 45,307 square feet to 68,139 square feet and one common area from a 7.036-acre tract of land in City Block 5601 on property located on Walnut Hill Lane at Inwood Road, southeast corner, subject to compliance with the conditions listed in the docket with an additional condition to read as follows: "Prior to submittal of the final plat, existing structures to be removed and verified by Building Inspection".

Maker: Ridley
Second: Murphy
Result: Carried: 8 to 1

For: 8 - Davis, Shidid, Carpenter, Lewis, Housewright,
Murphy, Ridley, Tarpley

Against: 1 - Jung
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Speakers: None

Note: The Commission heard Subdivision agenda item #4, S189-101 next.

(2) **S189-098**

Note: The Commission considered this item individually.

Motion: It was moved to **approve** an application to replat a 4.7997-acre tract of land containing all of Lot 1A and Lot 1B in City Block 10A/637 to create one lot on property bounded by McKinney Avenue, Lemmon Avenue East, Oak Grove Avenue, and Lemmon Avenue, subject to compliance with the conditions listed in the docket.

Maker: Ridley
Second: Murphy
Result: Carried: 8 to 0

For: 8 - Davis, Shidid, Carpenter, Lewis, Jung,
Murphy, Ridley, Tarpley

Against: 0

Absent: 2 - MacGregor, Schultz

Vacancy: 4 - District 2, District 3, District 7, District 12

Conflict: 1 - Housewright**

**out of the room, when vote taken

Speakers: For: Colin Fitzgibbons, 6946 Southridge Dr., Dallas, TX, 75214

Against: None

Note: The Commission returned to Subdivision agenda item #1, S189-096 to reconsider the previous vote taken earlier in the meeting.

(3) S189-100

Motion: It was moved to **approve** an application to replat a 0.164-acre tract of land containing part of Lot 5 in City Block 3477 to create one lot on property located between Polk Street and Tyler Street, south of Winston Street, subject to compliance with the conditions listed in the docket.

Maker: Davis

Second: Jung

Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0

Absent: 2 - MacGregor, Schultz

Vacancy: 4 - District 2, District 3, District 7, District 12

Speakers: None

(4) S189-101

Note: The Commission considered this item individually.

Motion: It was moved to **approve** an application to replat a 0.727-acre tract of land containing all of Lots 1, 2, 3, and 4 in City Block 1/5001 to create one lot on property located on Lovers Lane at Briarwood Lane, northwest corner, subject to compliance with the conditions listed in the docket.

Maker: Murphy
Second: Shidid
Result: Carried: 9 to 0

For: 9 - Davis*, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

*out of the room, shown voting in favor

Speakers: For: Dallas Cothrum, 900 Jackson St., Dallas, TX, 75202
Against: None

Note: The Commission returned to the regular order of the agenda and heard Miscellaneous agenda item M178-031 next.

(5) S189-102

Motion: It was moved to **approve** an application to create one 0.258-acre lot in City Block 6563 on property located on Harry Hines Boulevard/State Highway Loop No. 354, north of Royal Lane, subject to compliance with the conditions listed in the docket.

Maker: Davis
Second: Jung
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Speakers: None

(6) S189-103

Motion: It was moved to **approve** an application to create one 1.612-acre lot in City Block 5997 on property located on Overton Road, east of Beckley Avenue, subject to compliance with the conditions listed in the docket.

Maker: Davis
Second: Jung
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Speakers: None

(7) S189-104

Motion: It was moved to **approve** an application to replat a 2.792-acre tract of land containing all of Lots 9, 10, and 11 in City Block A/5789 to create one lot on property located on Ovella Avenue at Overlake Drive, east of Webb Chapel Extension (F.K.A. Cridelle Drive), subject to compliance with the conditions listed in the docket.

Maker: Davis
Second: Jung
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Speakers: None

(8) S189-105

Motion: It was moved to **approve** an application to replat a 0.957-acre tract of land containing all of Lot A and part of Lot B in City Block 18/6228 to create one lot on property located on Bruton Road at Buckner Boulevard, southwest corner, subject to compliance with the conditions listed in the docket with Condition #21 corrected to read as follows: "Prior to submittal of the final plat, all structures on the remainder Lot B in City Block 18/6228 must be removed and verified by Building Inspection".

Maker: Davis
Second: Jung
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0

Absent: 2 - MacGregor, Schultz

Vacancy: 4 - District 2, District 3, District 7, District 12

Speakers: None

(9) S189-106

Motion: It was moved to **approve** an application to replat an 8.910-acre tract of land containing all of Lot 1A in City Block G/5402 and a portion of abandoned Matilda Street to create one lot on property located between Greenville Avenue, Lovers Lane, Matilda Street, and Milto Street, subject to compliance with the conditions listed in the docket.

Maker: Davis

Second: Jung

Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0

Absent: 2 - MacGregor, Schultz

Vacancy: 4 - District 2, District 3, District 7, District 12

Speakers: None

Note: The Commission heard Subdivision agenda item #1, S189-096 upon the conclusion of the Subdivision Consent agenda.

Miscellaneous Items:

M178-031

Planner: Abraham Martinez

Motion: It was moved to **approve** a minor amendment to the existing development plan and landscape plan on property zoned Planned Development Subdistrict No. 53 within Planned Development District No. 193, the Oak Lawn Special Purpose District with Historic Overlay No. 94 (St. Ann's School), in an area bounded by Moody Street, Harry Hines Boulevard, Olive Street, and North Harwood Street.

Maker: Ridley

Second: Shidid

Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy*, Ridley, Tarpley

Against: 0

Absent: 2 - MacGregor, Schultz

Vacancy: 4 - District 2, District 3, District 7, District 12

*out of the room, shown voting in favor

Speakers: None

Zoning Cases – Consent:

1. Z189-124(SM)

Planner: Sarah May

Motion: In considering an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, between Oram Street and La Vista Drive, it was moved to **hold** this case under advisement until March 7, 2019.

Maker: Ridley

Second: Murphy

Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0

Absent: 2 - MacGregor, Schultz

Vacancy: 4 - District 2, District 3, District 7, District 12

Notices: Area: 200

Mailed: 56

Replies: For: 7

Against: 0

Speakers: None

2. Z189-126(SM)

Planner: Sarah May

Motion: In considering an application for a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, between Oram Avenue and La Vista Drive, it was moved to **hold** this case under advisement until March 7, 2019.

Maker: Ridley
Second: Murphy
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Notices: Area: 200 Mailed: 56
Replies: For: 7 Against: 0

Speakers: None

3. Z189-131(PD)

Planner: Pamela Daniel

Note: The Commission considered this item individually.

Motion: It was moved to recommend **denial without prejudice** of a Specific Use Permit for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property zoned Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the east line of Greenville Avenue, between Oram Street and La Vista Drive.

Maker: Ridley
Second: Carpenter
Result: Carried: 8 to 1

For: 8 - Shidid, Carpenter, Lewis, Jung, Housewright,
Murphy, Ridley, Tarpley

Against: 1 - Davis
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Notices: Area: 200 Mailed: 52
Replies: For: 5 Against: 0

Speakers: For: Sameer Patel, 4646 Amesbury Dr., Dallas, TX, 75206
Against: Rick Bentley, 5551 Vickery Blvd., Dallas, TX, 75206

Note: The Commission returned to the regular order of the agenda and heard Zoning Cases – Under Advisement agenda item #6. Z178-316(CY) next.

4. Z189-135(PD)

Planner: Pamela Daniel

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a site plan and revised conditions (as briefed) on property zoned Subarea A within Planned Development District No. 741, on the northeast corner of Olympus Boulevard and Wharf Road.

Maker: Ridley
Second: Murphy
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Notices: Area: 200 Mailed: 7
Replies: For: 5 Against: 0

Speakers: None

5. Z189-116(CY)

Planner: Carolina Yumet

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern for a two-year period, subject to a site plan and revised conditions (as briefed) on property zoned Subdistrict 1 within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the northeast side of Market Center Boulevard, southeast of Oak Lawn Avenue.

Maker: Ridley
Second: Murphy
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Notices: Area: 200 Mailed: 22
Replies: For: 2 Against: 6

Speakers: None

Note: The Commission heard Zoning agenda item #3, Z189-131(PD) upon the conclusion of the Zoning Consent agenda.

Zoning Cases – Under Advisement:

6. Z178-316(CY)

Planner: Carolina Yumet

Motion: In considering an application for 1) a new subdistrict to allow for a shared access development with up to 85 lots and served by two shared access points on property zoned Subdistrict 6 within Planned Development District No. 830 and a portion of Planned Development District No. 450; 2) an amendment to reduce Planned Development District No. 450 for a public school; and, 3) an amendment to the development plan and landscape plan, on the northeast corner of West Davis Street and North Plymouth Road, it was moved to **hold** this case under advisement until February 21, 2019.

Maker: Davis
Second: Shidid
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung, Housewright*, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 120
Replies: For: 2 Against: 2

Speakers: None

7. Z189-104(PD)

Planner: Pamela Daniel

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1357 for an open-enrollment charter school for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised traffic management plan and conditions on property zoned an R-7.5(A) Single Family District, on the northwest corner of Bruton Road and McCutcheon Lane.

Maker: Shidid
Second: Murphy
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Notices: Area: 300 Mailed: 49
Replies: For: 1 Against: 0

Speakers: For: None
For (Did not speak): Audra Buckley, Address not given
Against: None

8. Z178-313(PD)

Planner: Pamela Daniel

Motion: It was moved to recommend **approval** of an amendment to Planned Development Subdistrict No. 45 within Planned Development District No. 193, the Oak Lawn Special Purpose District, for a public school, subject to conditions with the following modifications: 1) SEC. S-45.108., OFF-STREET PARKING AND LOADING., (a) remove "For purposes of parking an elementary school is considered as grades K-6 and a middle school is considered as grades 7 and 8." and insert a subparagraph to read as follows: "(b) For a public school, 52 spaces are required." and 2) SEC. S-45.113., ADDITIONAL PROVISIONS., (a) Public School. revised to include the following: "(2) A parking agreement is required prior to the issuance of a building permit. A lease agreement may serve as evidence of a parking agreement." on property bounded by Allen Street, McKinney Avenue, Sneed Street, and Cole Avenue.

Maker: Ridley
Second: Murphy
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Notices: Area: 500 Mailed: 289
Replies: For: 4 Against: 0

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

Note: Zoning Cases #9. Z189-110(PD), #10. Z189-117(JM) and #11. Z189-119(JM) were read into the record and heard together.

9. Z189-110(PD)

Planner: Pamela Daniel

Motion: In considering an application for an amendment to the Existing Land Use Map to allow a duplex use on property zoned Tract III within Planned Development District No. 67, on the east side of Victoria Avenue, north of West Mockingbird Lane, it was moved to **hold** this case under advisement until February 21, 2019.

Maker: Davis
Second: Housewright
Result: Carried: 8 to 0

For: 8 - Davis, Shidid, Carpenter, Lewis, Housewright,
Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12
Conflict: 1 - Jung**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 82
Replies: For: 5 Against: 4

Speakers: None

10. Z189-117(JM)

Planner: Jennifer Muñoz

Motion: In considering an application for an amendment to the Existing Land Use Map to allow a duplex use on property zoned Tract III within Planned Development District No. 67, on the west side of Roper Street, between Thedford Avenue and Savage Street, it was moved to **hold** this case under advisement until February 21, 2019.

Maker: Davis
Second: Housewright
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung*,
Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 109
Replies: For: 5 Against: 9

Speakers: None

11. Z189-119(JM)

Planner: Jennifer Muñoz

Motion: In considering an application for an amendment to the Existing Land Use Map to allow a duplex use on property zoned Tract III within Planned Development District No. 67, on the west side of Victoria Avenue, between Savage Street and West Mockingbird Lane, it was moved to **hold** this case under advisement until February 21, 2019.

Maker: Davis
Second: Housewright
Result: Carried: 8 to 0

For: 8 - Davis, Shidid, Carpenter, Lewis, Housewright,
Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12
Conflict: 1 - Jung**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 75
Replies: For: 5 Against: 3

Speakers: None

Zoning Cases – Individual:

12. **Z178-268(JM)**

Planner: Jennifer Muñoz

Motion: It was moved to recommend **approval** of an amendment, subject to staff's recommended conditions with the exception to include the applicant's requested additional condition under SEC. 51P-621.1163. SIGNS., to read as follows: "(d) In Subdistrict 1E, one rooftop-mounted metal framework premise sign is permitted, subject to the following conditions: (1) A rooftop-mounted metal framework premise sign may be illuminated internally or externally or both. (2) A rooftop-mounted premise sign may not exceed 1,200 square feet in effective area. (3) At least 6.5 percent of the effective area of a rooftop-mounted premise sign must identify the Design District. (4) A rooftop-mounted premise sign must comply with the Dallas Fire Code and must be approved by the Fire Marshal before a sign permit may be approved by the director. (5) A rooftop-mounted metal framework premise sign may be placed only on the top story of the building." to Subdistrict 1E within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the southwest corner of Turtle Creek Boulevard and Hi Line Drive.

Maker: Carpenter
Second: Housewright
Result: Carried: 8 to 0

For: 8 - Davis, Shidid, Carpenter, Lewis, Housewright,
Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12
Conflict: 1 - Jung**

**out of the room, when vote taken

Notices: Area: 500 Mailed: 24
Replies: For: 0 Against: 0

Speakers: For: Jonathan Vinson, 2323 Ross Ave., Dallas, TX, 75201
Against: None

Other Matters

Consideration of Appointments to CPC Committees:

THOROUGHFARE COMMITTEE

Tom Grant – member

John Delholm - member

Minutes:

Motion: It was moved to **approve** the minutes of the January 17, 2019, City Plan Commission meeting, subject to corrections.

Maker: Ridley
Second: Murphy
Result: Carried: 9 to 0

For: 9 - Davis, Shidid, Carpenter, Lewis, Jung,
Housewright, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - MacGregor, Schultz
Vacancy: 4 - District 2, District 3, District 7, District 12

Adjournment

The February 7, 2019, City Plan Commission meeting **adjourn** at 3:43 p.m.

Gloria Tarpley, Chair